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8  
9 **UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

10 United States of America,  
11 Plaintiff,  
12 v.  
13 Matthew Okeke, M.D.,  
14 Defendant.

Case No. 2:23-cv-01861-JAD-BNW

**Stipulation and Order to Extend Discovery  
Deadlines**

**(Fifth Request)**

15  
16 Pursuant to LR IA 6-1 and LR 26-3, the parties request a sixty (60) day extension of the  
17 remaining discovery deadlines, which is supported by grounds and circumstances set forth  
18 below. This is the fifth request for an extension of the discovery deadlines.

19 **DISCOVERY COMPLETED**

20 The parties have completed the following discovery:

- 21 1. Plaintiff made its initial disclosures on March 12, 2024.
- 22 2. Plaintiff served its first set of requests for production of documents, first set of  
23 interrogatories and first set of requests for admission to Plaintiff on April 25, 2024.
- 24 3. Defendant responded to Plaintiff's first requests for admission on May 23,  
25 2024.

26 **DISCOVERY REMAINING**

27 The parties had reached a settlement agreement in principle and planned to finalize  
28 settlement paperwork. After months of waiting on Defendant to execute settlement

1 paperwork, Plaintiff gave Defendant until November 8, 2024 to complete the paperwork  
2 and make his first payment. Defendant never responded and on November 13, 2024  
3 Plaintiff rescinded the settlement offer and noticed Defendant's deposition. On November  
4 15, 2024, Defendant's undersigned counsel indicated he would be filing a motion to  
5 withdraw as counsel for Defendant. A motion to withdraw was never filed. Plaintiff was  
6 unclear on Defendant's representation and thus cancelled the scheduled deposition of  
7 Defendant.

8 Plaintiff filed a motion to compel due to a break-down in communication regarding  
9 Defendant's representation, deposition and outstanding discovery responses. This Court  
10 ordered that Defendant provide availability for deposition and respond to outstanding  
11 discovery responses by January 31, 2025. Expert disclosures remain to be completed.

12 The parties reserve the right to engage in any other discovery permitted by  
13 applicable rules and within the revised discovery deadlines if the court approves this  
14 stipulation.

#### 15 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

16 The parties have been trying to resolve this case since April 2024. Between April  
17 and June 2024, the parties exchanged several settlement offers and counteroffers. The  
18 settlement negotiations were paused for short periods of time in May and June, due to  
19 Defendant and his counsel being out of the country. The settlement negotiations resumed  
20 in July and in the beginning of August, the parties agreed in principle on the settlement  
21 conditions. In August, Plaintiff sent Defendant's counsel settlement documents to execute.  
22 Plaintiff waited for the settlement documents to be returned from August to November.

23 The parties requested a fourth extension of the discovery deadlines which this Court  
24 granted on November 20, 2024. ECF No. 21. Due to prior settlement negotiations and the  
25 necessary motion to compel, the parties respectfully request that the remaining discovery  
26 deadlines, including the initial expert disclosures, be extended with sixty (60) days.

27 The parties agree that neither party will be prejudiced by the proposed extension,  
28 and that they may be prejudiced should the current schedule remain in place. The parties

agree the extension is sought in good faith.

## EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

The following table sets forth the current deadlines and the proposed sixty (60) day extension of discovery deadlines that are the subject of this stipulated request:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Initial Expert Disclosure	January 27, 2025	March 28, 2025
Rebuttal Expert Report(s)	February 26, 2025	April 28, 2025 <sup>1</sup>
Discovery Cutoff	March 28, 2025	May 28, 2025
Dispositive Motions	April 28, 2025	June 27, 2025
Proposed Joint Pretrial Order	May 28, 2025	July 28, 2025 <sup>2</sup>

This request for an extension of time is not sought for any improper purpose including delay. This is the second request for an extension of discovery deadlines in this matter.

Respectfully submitted this 22nd day of January 2025.

LAW OFFICES OF LIBO  
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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: 1/24/2024

<sup>1</sup> April 27, 2025 is a Sunday.

<sup>2</sup> June 27, 2025 is a Sunday. If dispositive motions were to be filed, the deadline for the Proposed Joint Pretrial Order would be deferred until 30 days after the Court rules on the dispositive motions.